

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

PM-03 INR-05 L-02 ACDA-05 NSAE-00 PA-01 RSC-01 PRS-01

SP-02 TRSE-00 SAJ-01 DODE-00 H-01 NSC-05 SS-15 EB-07

DLOS-03 COA-01 IO-10 CG-00 DOTE-00 FMC-01 OMB-01

CIEP-01 /079 W

----- 105611

O P 061233Z DEC 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 6662

INFO AMEMBASSY REYKJAVIK PRIORITY

COMICEDEFOR

CINCLANT

USMISSION NATO BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY STOCKHOLM

C O N F I D E N T I A L SECTION 01 OF 02 BONN 18851

E.O. 11652: GDS

TAGS: PFOR, EFIS, IO, GW, US

SUBJECT: FRG-ICELAND FISHERIES DISPUTE

REF: REYKJAVIK 1638

1. SUMMARY: FRG HAS PROTESTED SEIZURE OF ARCTURUS
BY ICELANDIC COAST GUARD AND GENERAL
ESCALATION OF ICELANDIC HARASSMENT OF FRG FISHING
FLEET, AND HAS TEMPORARILY PROHIBITED ICELANDIC
FISHING VESSELS FROM LANDING THEIR CATCH IN GERMAN
PORTS. AT SAME TIME FRG IS TRYING TO FIND WAYS TO
COOL DOWN THIS DISPUTE AND TO RESUME NEGOTIATIONS
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LEADING TO FISHERIES AGREEMENT WITH ICELAND. FORNMIN

GENSCHER PLANS TO USE OCCASION OF NATO CONFERENCE AS OPPORTUNITY FOR INFORMAL DISCUSSIONS WITH ICELANDIC FORNMIN. IN THESE CIRCUMSTANCES, EMBASSY BELIEVES THAT ANY US INVOLVEMENT WITH FRG WOULD BE INADVISIBLE. END SUMMARY

2. IN DEC 5 DISCUSSIONS WITH EMBOFF, KAUFMANN-BUEHLER IN LEGAL DIVISION OF FRG FOREIGN OFFICE REVIEWED THE FRG POSITION IN THIS DISPUTE AS WELL AS FRG RESPONSE TO THE RECENT HARASSMENT OF FRG FISHING FLEET. HIS CHIEF POINTS ON FRG POSITION WERE AS FOLLOWS:

A. IN FRG VIEW, ICELAND IS BOUND BY JULY DECISION OF ICJ AGAINST EXTENSION OF FISHING ZONE FROM 12 TO 50 MILES.

B. AFTER DECIDING IN 1971 TO EXTEND ITS FISHING ZONE TO 50 MILES, ICELAND HAS NEVER REFUSED TO ENTER NEGOTIATIONS WITH FRG, THUS ACKNOWLEDGING EXISTENCE OF FRG RIGHTS TO FISH IN THESE WATERS.

C. FREEDOM TO FISH IN THESE WATERS IS OF CONSIDERABLE IMPORTANCE TO FRG FISHING INDUSTRY. ANNUAL CATCH OF ABOUT 90,000 TONS ACCOUNTS FOR ONE-FOURTH OF TOTAL FRG CATCH IN HIGH SEAS.

D. FRG GOALS ARE MODEST. FRG IS SEEKING ROUGHLY SAME TREATMENT AS THAT ACCORDED UK. DUE TO STRUCTURE OF GERMAN FISHING FLEET, FREEZER TRAWLERS WOULD HAVE TO BE USED. HOWEVER, FRG IS WILLING TO LIMIT THE TIME PERIODS IN WHICH FREEZER TRAWLERS ARE PERMITTED TO OPERATE AND TO AGREE ON SOMEWHAT LOWER TOTAL CATCH IN RETURN FOR PERMISSION TO USE FREEZER TRAWLERS.

E. FRG WOULD LIKE TO RESUME TALKS WITH ICELAND, PERHAPS STARTING WITH DISCUSSION OF WHAT PARTS OF DRAFT AGREEMENT ARE UNACCEPTABLE TO GOI AND HOW AGREEMENT MIGHT BE AMENDED TO MAKE IT ACCEPTABLE TO ICELAND.

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3. FOLLOWING SEIZURE OF THE ARCTURUS, THE FRG AMBASSADOR MADE TWO ORAL PROTESTS TO GOI, ON NOV 24 AND NOV 25. HE IS NOW UNDER INSTRUCTIONS TO LODGE A FORMAL WRITTEN PROTEST. IN ADDTION, ON NOV 29 GOVERNMENTS OF THE FOUR COASTAL GERMAN PROVINCES (BREMEN, HAMBURG, LOWER SAXONY AND SCHLESWIT-HOLSTEIN) AGREED TO PROHIBIT ICELANDIC

FISHING BOATS FROM LANDING THEIR CATCH. THIS PROHIBITION, WHICH WAS TAKEN IN CONSULTATION WITH FEDERAL GOVERNMENT, WILL LAST UNTIL "ACCEPTABLE CONDITIONS FOR CONTINUING THE NEGOTIATIONS ARE CREATED." KAUFMAN-BUEHLER INDICATED THAT THIS WOULD BE THE CASE IF ICELAND WOULD GIVE SOME FORM OF DECLARATION THAT INCIDENTS OF THE ARCTURUS-TYPE WOULD NOT RECUR. THIS PROHIBITION APPLIES ONLY TO FISH LANDED DIRECTLY BY ICELANDIC FISHING BOATS. RESTRICTIONS HAVE NOT BEEN PLACED ON IMPORTS OF FISH THROUGH COMMERCIAL CHANNELS.

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 18851

4. IN ADDITION TO DIPLOMATIC EFFORTS

IN REYKJAVIK, KAUFMANN-BUEHLER TOLD US THAT FORNMIN GENSCHER PLANS TO TAKE UP THIS DISPUTE INFORMALLY IN BRUSSELS NEXT WEEK WITH ICELANDIC FORNMINISTER. FRG HAS NO INTENTIONS, HOWEVER, OF INTRODUCING THIS ISSUE INTO THE NATO CONTEXT.

5. COMMENT: IN LIGHT OF ABOVE AND USG POSITION SUMMARIZED IN PARA 3 OF REFTEL, EMBASSY BELIEVES THAT ANY US INTERVENTION WITH FRG ALONG LINES ICELAND MAY URGE (SEE REFTEL) WOULD BE ILL-CONSIDERED. CONFIDENTIAL

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MOREOVER, WITH BILL ON 200-MILE FISHING ZONE PENDING IN CONGRESS, US PROBABLY IS NOT RPT NOT IN A GOOD POSITION TO BE PERSUASIVE WITH FRG, AT LEAST IN TERMS OF LOS CONSIDERATIONS IN THIS DISPUTE. FEDERAL GOVERNMENT IS AWARE THAT FRG FISHING POSITION IS NOT LIKELY TO CARRY IN UPCOMING LOS CONFERENCE SESSIONS AND THAT FRG FISHING INDUSTRY WILL BE AFFECTED ACCORDINGLY. ANY APPARENT TAKING OF SIDES BY THE USG FOR ICELAND IN ICELAND/FRG DISPUTE COULD SOUR WHAT EMBASSY BELIEVES IS OTHERWISE GOOD US-FRG WORKING RELATIONSHIP IN LOS CONFERENCE MATTERS BASED ON SIMILARITY OF POSITIONS IN OTHER MAJOR SUBJECT FIELDS OF LOS CONFERENCE. HOWEVER, UNDERSEC SISCO MAY WISH TO URGE ICELAND TO TAKE ADVANTAGE OF NATO MEETINGS FOR EXPLORATORY DISCUSSION WITH GENSCHER. CASH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHIP DETENTION, FISHING DISPUTES, FISHING LIMITS, FISHING BOATS
Control Number: n/a
Copy: SINGLE
Draft Date: 06 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BONN18851
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740354-0745
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741256/aaaabvnb.tel
Line Count: 205
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: REYKJAVIK 1638
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 04 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 APR 2002 by elyme>; APPROVED <15-Aug-2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FRG-ICELAND FISHERIES DISPUTE
TAGS: PFOR, EFIS, IO, GE, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005